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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

THE BOARD OF TRUSTEES, in their ) No. CV-07-6403 CRB  
capacities as Trustees of the LABORERS )  
HEALTH AND WELFARE TRUST FUND )  
FOR NORTHERN CALIFORNIA; LABORERS )  
VACATION-HOLIDAY TRUST FUND FOR ) **EX PARTE APPLICATION FOR**  
NORTHERN CALIFORNIA; LABORERS ) **CONTINUANCE OF CASE**  
PENSION TRUST FUND FOR NORTHERN ) **MANAGEMENT CONFERENCE;**  
CALIFORNIA; and LABORERS TRAINING ) **(PROPOSED) ORDER**  
AND RETRAINING TRUST FUND FOR )  
NORTHERN CALIFORNIA, )

Plaintiffs,

v.

KEN DOUGLAS SCHULDT, Individually;  
KEN DOUGLAS SCHULDT, Individually and  
doing business as ALL ACCESS BOBCAT;  
ALL ACCESS BOBCAT,

Defendants.

**TO: THE CLERK OF THE COURT AND DEFENDANTS KEN DOUGLAS SCHULDT,  
Individually; KEN DOUGLAS SCHULDT, Individually and doing business as ALL  
ACCESS BOBCAT; ALL ACCESS BOBCAT:**

Pursuant to Civil Local Rule 7-10, Plaintiffs and Defendant hereby request that the initial  
case management conference scheduled for March 28, 2008 be continued for 30 days.

Plaintiffs served Defendant with the complaint on January 3, 2008, for which Proofs of

1 service were filed before this Court with the Summons evidencing such service on January 8, 2008.  
2 Defendants filed an Answer and Affirmative Defenses on January 24, 2008. Plaintiffs and  
3 Defendant met and conferred regarding the ADR options, but have not been able to meet and  
4 confer regarding the Case Management Conference due to the illness of Mr. Sax, counsel for  
5 Defendants.

6 The above stated facts are set forth in the accompanying declaration of Concepción E.  
7 Lozano-Batista in Support of Ex Parte Application to Continue Case Management Conference,  
8 filed herewith.

9 Dated: March 25, 2008

10 WEINBERG, ROGER & ROSENFELD  
11 A Professional Corporation

12 By: /s/  
13 CONCEPCIÓN E. LOZANO-BATISTA

14  
15 **ORDER CONTINUING CASE MANAGEMENT CONFERENCE**

16 Based upon the foregoing Ex Parte Application for Continuance of Case Management  
17 Order and Declaration of Concepción E. Lozano-Batista in Support of Ex Parte Application to  
18 Continue Case Management Conference, the Court orders a continuance of the case management  
19 conference for 90 days, or as soon thereafter as a court date is available. In addition, the Court  
20 Orders:

21  
22  
23 Dated:

24 The Honorable Charles R. Breyer  
25 United States District Court Judge

26 116577/488299  
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